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Patent  
Serial No. 10/633,846

TO THE UNITED STATES PATENT AND TRADEMARK OFFICE

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By   
(Signature) Gregory L. Thorne

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Atty. Docket: 10016

JAHANGIR S. RASTEGAR ET AL.

Confirmation No.: 5665

Serial No.: 10/633,846

Examiner: TED M. WANG

Filed: AUGUST 4, 2003

Group Art Unit: 2611

Title: LOW-DETECTABILITY COMMUNICATION BETWEEN A TRANSMITTER  
AND RECEIVER

Mail Stop 16  
Director of the USPTO  
P.O. Box 1450  
Alexandria, VA 22313-1450

20 OCT 26 PM 2:40

Request for Refund for Excessive Payment of Request for Continued Examination Fee

Sir:

Please consider the remarks that follow:

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Patent  
Serial No. 10/033,846Remarks

Applicant submits that at the time of payment of the filing fees, the Applicant neglected to indicate that the Assignee of the patent application, namely Omnitek Partners Llc of 111 West Main Street, Suite 112, Applied Technology Center, Bayshore, New York 11706, of the U.S., was and continues to be a small entity as defined under 37 CFR §1.27.

Small entity status of the Applicant's Assignee is herein claimed and is previously claimed.

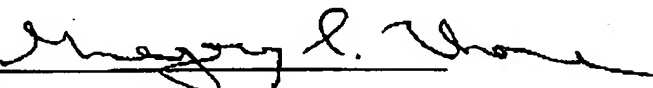
It is respectfully submitted that the full Request for Continued Examination (RCE) Fee, without reduction was mistakenly paid (copy of filing receipt included herewith). However, Applicant's Assignee was entitled to a fifty percent reduction in the RCE fee paid (\$810.00), namely, a reduction of \$405.00. As the filing fee was paid by Applicant's Representative credit card, a refund of the excessive filing fee is requested to be made back to the credit card as specified by 37 CFR §1.26(a).

Applicant has made a diligent and sincere effort to set out the circumstances of this overpayment. Favorable consideration of this refund request is earnestly solicited.

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Should a request for further information or clarification of the above facts be required, it is requested that the Applicant's Representative be contacted at the number provided below.

Respectfully submitted,

By 

Gregory L. Thorne, Reg. 39,398  
Attorney for Applicant(s)  
October 26, 2010

Enclosure: Copy of Filing Receipt for RCE submission

**THORNE & HALAJIAN, LLP**

111 West Main Street  
Bay Shore, NY 11706  
Tel: (631) 665-5139  
Fax: (631) 665-5101

OCT 26 2010

## Electronic Acknowledgement Receipt

EPS ID:	8699379
Application Number:	10633846
International Application Number:	
Confirmation Number:	5665
Title of Invention:	Low-detectability communication between a transmitter and receiver
First Named Inventor/Applicant Name:	Jahangir S. Rastegar
Customer Number:	79998
Filer:	Gregory L. Thorne
Filer Authorized By:	
Attorney Docket Number:	10016
Receipt Date:	25-OCT-2010
Filing Date:	04-AUG-2003
Time Stamp:	22:54:31
Application Type:	Utility under 35 USC 111(a)

## Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$810
RAM confirmation Number	10054
Deposit Account	
Authorized User	

## File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /zip	Pages (if appl.)
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OCT 26 2010

1	Request for Continued Examination (RCE)	SP10016-RCE-form-10-25-10.pdf	797975	no	3
Warnings:					
Information:					
2		SP10016-rce-10-25-10.pdf	308737	yes	10
Multipart Description/PDF files in .zip description					
Document Description			Start	End	
Amendment Submitted/Entered with Filing of CPA/RCE			1	1	
Claims			2	7	
Applicant Arguments/Remarks Made in an Amendment			8	10	
Warnings:					
Information:					
3	Fee Worksheet (PTO-875)	fee-info.pdf	29752	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			1136464		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to Post Card, as described in MPEP 503.</p> <p><b>New Applications Under 35 U.S.C. 111</b></p> <p>If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><b>National Stage of an International Application under 35 U.S.C. 371</b></p> <p>If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><b>New International Application Filed with the USPTO as a Receiving Office</b></p> <p>If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					

## Electronic Patent Application Fee Transmittal

**Application Number:**

10633846

**Filing Date:**

04-Aug-2003

Adjustment date: 11/03/2010 HDESTA1  
10726/2010 INTEFSW 00010054 10633846  
01 FC:1801 -810.00 OP

**Title of Invention:**

Low-detectability communication between a transmitter and receiver

11/03/2010 HDESTA1 00000028 10633846  
01 FC:2801 405.00 OP

Refund Ref:  
11/03/2010 0030090362

Credit Card Refund Total: \$405.00

Am Exp.: XXXXXXXXXXXX3000

**First Named Inventor/Applicant Name:**

Jahangir S. Rastegar

**Filer:**

Gregory L. Thorne

**Attorney Docket Number:**

10016

Filed as Large Entity

### Utility under 35 USC 111(a) Filing Fees

Description

Fee Code

Quantity

Amount

Sub-Total in  
USD(\$)

**Basic Filing:**

**Pages:**

**Claims:**

**Miscellaneous-Filing:**

**Petition:**

**Patent Appeals-and-Interference:**

**Post-Allowance-and-Post-Issuance:**

**Extension-of-Time:**

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Miscellaneous:</b>				
Request for continued examination	1801	1	810	810
<b>Total in USD (\$)</b>				<b>810</b>